

By: Howard

H.B. No. 2831

A BILL TO BE ENTITLED

AN ACT

relating to procedures for the house of representatives to convene and conduct business when the legislature is not in session; providing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 301, Government Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. PROCEEDINGS WHEN LEGISLATURE NOT IN SESSION

Sec. 301.101. CONVENING HOUSE OF REPRESENTATIVES TO CONDUCT HOUSE BUSINESS. (a) In this section, "house business" means any activity of the house of representatives that does not require the concurrence of or other action by the senate or the governor, and includes:

(1) amending the rules of the house;

(2) removing or considering removal of the speaker of the house; and

(3) electing a speaker if the office of speaker becomes vacant.

(b) When the legislature or house of representatives is not in session for other purposes, the house may be convened to transact house business by:

(1) a proclamation of the speaker of the house or of the speaker pro tempore; or

(2) a proclamation signed by a majority of the members

1 of the house.

2 (c) A proclamation must:

3 (1) state in general terms the reason for convening
4 the house;

5 (2) state a time for the house to convene on a
6 prescribed date that is not earlier than the 20th day or later than
7 the 30th day after the date the proclamation is filed; and

8 (3) be published in at least three daily newspapers of
9 general circulation in this state on or before the 15th day after
10 the date the proclamation is filed.

11 (d) To be effective, a proclamation must be filed with the
12 chief clerk of the house. The chief clerk shall promptly certify
13 that the proclamation has been filed and whether the proclamation
14 is signed by the number of house members required by Subsection
15 (b)(2).

16 (e) Not later than the 15th day after the date the
17 proclamation is filed, each member of the house who is present in
18 this state and accessible must be given a copy of the proclamation.
19 The copy must be delivered in person or by registered mail by or
20 under the direction of the officer or members who signed the
21 proclamation.

22 (f) If the reason stated in a proclamation to convene the
23 house filed under this section is to remove or consider removal of
24 the speaker, the names of the house members who sign the
25 proclamation are confidential until a majority of the members of
26 the house have signed the proclamation. A violation of this
27 subsection is a Class B misdemeanor.

1 (g) The house shall convene on the date specified in the
2 proclamation. When convened pursuant to a proclamation under this
3 section, the house may conduct any house business, including house
4 business the house may conduct when convened in legislative
5 session.

6 SECTION 2. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2013.